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Case: 1:13cv624

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

SEP 23 2014

Louise A. Meanwell
76 Westgate Drive
Annandale, NJ 08801

LAWRENCE K. BAERMAN, CLERK
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Case 1:13-cv-00624-GLS-CFH Document 78 Filed 08/21/14 Page 1 of 1

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

LAWRENCE K. BAERMAN
Clerk

JOHN M. DOMURAD
Chief Deputy

DAN MCALLISTER
Chief Deputy

James M. Hanley Federal Building
P.O. Box 7367, 100 S. Clinton St.
Syracuse, New York 13261-7367
(315) 234-8500

August 21, 2014

NOTICE

Re: Meanwell v. Hankle, et al.
1:13-cv-624 (GLS/CFH)

On August 7, 8 and 11, 2014, the defendants moved to dismiss your lawsuit. (Dkt. Nos. 70, 72, 74-76). While you are entitled to file a response to the motion, and the court may benefit from such a response, you are not required to do so. This is because motions to dismiss are generally evaluated by considering only the complaint and other documents incorporated by reference within or attached to it.

Should you choose to file a response in this case, it is **due on September 16, 2014**. The papers should comply with the Local Rules of Practice and Federal Rules of Civil Procedure. Moreover, the response papers, if any, should be mailed to the District Court at the following address:

United States District Court
Northern District of New York
James T. Foley - U.S. Courthouse
445 Broadway, Room 509
Albany, NY 12207-2924

In the event that you choose not to file a response, you are required to promptly notify the court and all other parties at the earliest practicable date, but, in any event, no less than **FOURTEEN DAYS** prior to the scheduled return date of the motion, unless good cause is shown.

PRO SE

U.S. District Court

Northern District of New York - Main Office (Syracuse) [LIVE - Version 6.1] (Albany)
CIVIL DOCKET FOR CASE #: 1:13-cv-00624-GLS-CFH
Internal Use Only

Meanwell v. Hankle et al
Assigned to: Chief Judge Gary L. Sharpe
Referred to: Magistrate Judge Christian F. Hummel
Demand: \$5,000,000
Cause: 42:1983 Civil Rights Act

Date Filed: 05/31/2013
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff**Louise A. Meanwell**

*Individually, and on Behalf of a Minor
Child, M.B.*

represented by **Louise A. Meanwell**
76 Westgate Drive
Annandale, NJ 08801
Email:
PRO SE

Daniel I. Geller

Office of Daniel I. Geller
525 West 49th Street, Suite 2C
New York, NY 10019
310-990-3682
Fax: 917-591-5041
Email: daniel@danielgeller.com
TERMINATED: 09/04/2013
Bar Status: Active
Fee Status: paid_2013

Keith F. Schockmel

Office of Keith F. Schockmel
4 Atrium Drive
Suite 290, Executive Woods
Albany, NY 12205
518-435-9360
Fax: 518-435-9460
Email: keithfschockmel@yahoo.com
TERMINATED: 06/06/2014
Bar Status: Active
Fee Status: paid_2013

V.

Defendant**Jacqueline Hankle**

represented by **Jacqueline Hankle**
7727 Route 66

Averill Park, NY 12018
518-674-2375
Email:
PRO SE

Defendant

Jason Bump

represented by **Jason Bump**
106 Tollgate Road
Averill Park, NY 12018
518-258-1638
Email:
PRO SE

Defendant

Mary Bump

represented by **Mary Bump**
38 Penny Lane
Averill Park, NY 12018
518-674-2375
Email:
PRO SE

Defendant

**New York State Department of
Criminal Justice Services**

TERMINATED: 06/19/2013

Defendant

State of New York

TERMINATED: 06/19/2013

Defendant

Ruth Supovitz

*as an attorney in both personal and
professional capacity*

represented by **Christopher J. Martin**
Wilson, Elser Law Firm - Albany
677 Broadway - 9th Floor
Albany, NY 12207-2996
518-449-8893
Fax: 518-449-8927
Email:
christopher.martin@wilsonelser.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Active
Fee Status: paid_2013

Theresa B. Marangas

Wilson, Elser Law Firm - Albany
677 Broadway - 9th Floor
Albany, NY 12207-2996
518-449-8893
Fax: 518-465-2548

Email:
theresa.marangas@wilsonelser.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Active
Fee Status: paid_2013

Defendant

Joseph Leonard

*of the New York State Division of
 Criminal Justice Services, both
 officially and individually*

TERMINATED: 06/19/2013

Defendant

Benedict Conboy

*of the New York State Division of
 Criminal Justice Services, individually*

represented by **Colleen D. Galligan**
 New York State Attorney General -
 Albany
 The Capitol
 Albany, NY 12224
 518-474-4402
 Fax: 518-408-2018
 Email: colleen.galligan@ag.ny.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Active
Fee Status: waived_2013

Defendant

John and Jane Does

presently unidentified

Defendant

James Leonard

*of the New York State Division of
 Criminal Justice Services, individually*

represented by **Colleen D. Galligan**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Active
Fee Status: waived_2013

Date Filed	#	Docket Text
05/31/2013	<u>1</u>	COMPLAINT with Jury Demand against All Defendants (Filing fee \$400 receipt number ALB007952) filed by Louise A. Meanwell. (Attachments: # <u>1</u> Civil Cover Sheet) (see) (Entered: 06/03/2013)
05/31/2013	<u>2</u>	Summons Issued as to Jason Bump, Mary Bump, Benedict Conboy,

		Jacqueline Hankle, Joseph Leonard, New York State Department of Criminal Justice Services, State of New York, and Ruth Supovitz. (Attachments: # <u>1</u> Summons for Jason Bump, # <u>2</u> Summons for Mary Bump, # <u>3</u> Summons for NYS Department of Criminal Justice Services, # <u>4</u> Summons for the State of New York, # <u>5</u> Summons for Ruth Supovitz, # <u>6</u> Summons for Joseph Leonard, # <u>7</u> Summons for Benedict Conboy) (see) (Entered: 06/03/2013)
05/31/2013	<u>3</u>	G.O. 25 FILING ORDER ISSUED: Initial Conference set for 9/10/2013 at 11:00 AM in Albany before Magistrate Judge Christian F. Hummel. Civil Case Management Plan due by 8/27/2013. (see) (Entered: 06/03/2013)
06/05/2013		Courtesy copies of the <u>3</u> G.O. 25 Filing Order, <u>2</u> Summons Issued, and <u>1</u> Complaint mailed to Attorney Geller on 6/5/2013 by regular mail. (see) (Entered: 06/05/2013)
06/10/2013	<u>4</u>	AFFIDAVIT of Service for Attorney-General of the State of New York <i>Sean Morrissey</i> served on William Sportman on 06/05/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/10/2013)
06/10/2013	<u>5</u>	AFFIDAVIT of Service for Jacqueline Hankle <i>Sean Morrissey</i> served on Jacqueline Hankle on 06/06/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/10/2013)
06/10/2013	<u>6</u>	AFFIDAVIT of Service for Jason Bump <i>Sean Morrissey</i> served on Holly Wiles-Pemburn, Law Office of William V. O'Leary, Esq. on 06/05/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/10/2013)
06/10/2013	<u>7</u>	AFFIDAVIT of Service for Ruth Supovitz <i>Sean Morrissey</i> served on Justine Gummer; Wilson, Elser, Moskowitz & Dicker, LLP on 06/05/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/10/2013)
06/10/2013	<u>8</u>	AFFIDAVIT of Service for Benedict Conboy <i>Sean Morrissey</i> served on Benedict Conboy on 06/05/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/10/2013)
06/10/2013	<u>9</u>	AFFIDAVIT of Service for New York State Department of Criminal Justice Services <i>Sean Morrissey</i> served on Maryann West on 06/05/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/10/2013)
06/11/2013	<u>10</u>	AFFIDAVIT of Service for James Leonard <i>Sean Morrissey</i> served on James Leonard on 06/06/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/11/2013)
06/11/2013		***Answer due date updated for Jason Bump answer due 6/26/2013; Benedict Conboy answer due 6/26/2013; Jacqueline Hankle answer due 6/27/2013; Joseph Leonard answer due 6/27/2013; New York State Department of Criminal Justice Services answer due 6/26/2013; Ruth Supovitz answer due 6/26/2013. (see) (Entered: 06/11/2013)
06/19/2013	<u>11</u>	NOTICE of Voluntary Dismissal to the Honorable Court of two Defendants, The State of New York and the Department of Criminal Justice Services of the State of New York by Louise A. Meanwell (Geller,

		Daniel) (Entered: 06/19/2013)
06/19/2013	<u>12</u>	NOTICE of Voluntary Dismissal to <i>The Attorney-General of the State of New York</i> by Louise A. Meanwell (Attachments: # <u>1</u> Affidavit Affidavit of Service)(Geller, Daniel) (Entered: 06/19/2013)
06/19/2013	<u>13</u>	NOTICE of Voluntary Dismissal to <i>The New York State Division of Criminal Justice Services</i> by Louise A. Meanwell (Attachments: # <u>1</u> Affidavit Affidavit of Service)(Geller, Daniel) (Entered: 06/19/2013)
06/19/2013	<u>14</u>	AMENDED COMPLAINT with <i>Jury Demand Louise Meanwell, Individually, and on Behalf of a Minor Child, M.B.</i> , against Jason Bump, Mary Bump, Benedict Conboy, John and Jane Does, Jacqueline Hankle, Ruth Supovitz, James Leonard filed by Louise A. Meanwell. (Attachments: # <u>1</u> Supplement Page 18 of 18 of the Amended Complaint, # <u>2</u> Exhibit(s) Exhibit A notice, # <u>3</u> Exhibit(s) Exhibit A page 1, # <u>4</u> Exhibit(s) Exhibit A page 2, # <u>5</u> Exhibit(s) Exhibit A page 3, # <u>6</u> Exhibit(s) Exhibit A page 4, # <u>7</u> Exhibit(s) Exhibit B notice, # <u>8</u> Exhibit(s) Exhibit B page 1)(Geller, Daniel) (Entered: 06/19/2013)
06/19/2013	<u>15</u>	AFFIDAVIT of Service for Notice of Voluntary Dismissal <i>Daniel Geller</i> served on Attorney-General of the State of New York on 6/19/13, filed by Louise A. Meanwell. (Geller, Daniel) Modified on 6/21/2013 (mgh). (Entered: 06/19/2013)
06/19/2013	<u>16</u>	AFFIDAVIT of Service for Notice of Voluntary Dismissal <i>Daniel Geller</i> served on N.Y.S. Division of Criminal Justice Services on 6/19/13, filed by Louise A. Meanwell (Geller, Daniel) Modified on 6/21/2013 (mgh). (Entered: 06/19/2013)
06/19/2013	<u>17</u>	AFFIDAVIT of Service for Notice of Voluntary Dismissal <i>Daniel Geller</i> served on Attorney-General of the State of New York on 6/19/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/19/2013)
06/19/2013	<u>18</u>	AFFIDAVIT of Service for Notice of Voluntary Dismissal <i>Daniel Geller</i> served on N.Y.S. Division of Criminal Justice Services on 6/19/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/19/2013)
06/19/2013	<u>19</u>	AFFIDAVIT of Service for Amended Complaint <i>Daniel Geller</i> served on Mary Bump on 6/19/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/19/2013)
06/19/2013	<u>20</u>	AFFIDAVIT of Service for Amended Complaint <i>Daniel Geller</i> served on Theresa Marangas, Esq., c/o Ruth Supovitz, Esq. on 6/19/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/19/2013)
06/19/2013	<u>21</u>	AFFIDAVIT of Service for Amended Complaint <i>Daniel Geller</i> served on Jacqueline Hankle on 6/19/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/19/2013)
06/19/2013	<u>22</u>	AFFIDAVIT of Service for Amended Complaint <i>Daniel Geller</i> served on Benedict Conboy on 6/19/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/19/2013)

06/19/2013	<u>23</u>	AFFIDAVIT of Service for Amended Complaint <i>Daniel Geller</i> served on William V. O'Leary, Esq., c/o Jason Bump on 6/19/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/19/2013)
06/19/2013	<u>24</u>	AFFIDAVIT of Service for Amended Complaint <i>Daniel Geller</i> served on James Leonard on 6/19/13, filed by Louise A. Meanwell. (Geller, Daniel) (Entered: 06/19/2013)
06/20/2013	<u>25</u>	Summons Issued as to James Leonard. (see) (Entered: 06/20/2013)
06/20/2013	<u>26</u>	NOTICE/ORDER OF VOLUNTARY DISMISSAL as to defendants The New York State Department of Criminal Justice Services and The State of New York only. Signed by Chief Judge Gary L. Sharpe on 6/20/2013. (jel,) (Entered: 06/20/2013)
06/26/2013	<u>27</u>	ANSWER to <u>14</u> Amended Complaint with Jury Demand by Benedict Conboy, James Leonard. (Attachments: # <u>1</u> Certificate of Service) (Galligan, Colleen) (Entered: 06/26/2013)
07/11/2013	<u>28</u>	ANSWER to <u>14</u> Amended Complaint with Jury Demand by Jason Bump. (see) (Entered: 07/11/2013)
07/11/2013	<u>29</u>	ANSWER to <u>14</u> Amended Complaint with Jury Demand by Jacqueline Hankle. (see) (Entered: 07/11/2013)
07/11/2013	<u>30</u>	ANSWER to <u>14</u> Amended Complaint with Jury Demand by Mary Bump. (see) (Entered: 07/11/2013)
07/11/2013	<u>31</u>	Pro se NOTICE Regarding Legal Advice and Pro se Packet mailed to deft Jacqueline Hankle on 7/11/2013 with instructions to read, sign, and return the document entitled "Notice" for filing. The remainder of the enclosures are defts to keep as reference materials. (see) (Entered: 07/11/2013)
07/11/2013	<u>32</u>	Pro se NOTICE Regarding Legal Advice and Pro se Packet mailed to deft Jason Bump on 7/11/2013 with instructions to read, sign, and return the document entitled "Notice" for filing. The remainder of the enclosures are defts to keep as reference materials. (see) (Entered: 07/11/2013)
07/11/2013	<u>33</u>	Pro se NOTICE Regarding Legal Advice and Pro se Packet mailed to deft Mary Bump on 7/11/2013 with instructions to read, sign, and return the document entitled "Notice" for filing. The remainder of the enclosures are defts to keep as reference materials. (see) (Entered: 07/11/2013)
07/12/2013	<u>34</u>	ANSWER to <u>14</u> Amended Complaint with Jury Demand by Ruth Supovitz.(Martin, Christopher) (Entered: 07/12/2013)
07/18/2013	<u>35</u>	CERTIFICATE OF SERVICE by Ruth Supovitz re <u>34</u> Answer to Amended Complaint (Marangas, Theresa) (Entered: 07/18/2013)
07/22/2013	<u>36</u>	PRO SE HANDBOOK and NOTICE returned executed as to Jacqueline Hankle. {File stamped copy returned to deft on 7/22/2013} (Attachments: # <u>1</u> Copy of mailing envelope) (see) (Entered: 07/22/2013)
07/22/2013	<u>37</u>	PRO SE HANDBOOK and NOTICE returned executed as to Mary Bump. {File stamped copy returned to deft on 7/22/2013 by regular mail}

		(Attachments: # <u>1</u> Copy of mailing envelope) (see) (Entered: 07/22/2013)
08/15/2013	<u>38</u>	Letter Motion from Daniel Geller, Esq. for Louise A. Meanwell requesting Adjournment submitted to Judge Sharpe and Judge Hummel . (Geller, Daniel) (Entered: 08/15/2013)
08/21/2013	<u>39</u>	ORDER denying <u>38</u> Letter Request,. Authorized by Magistrate Judge Christian F. Hummel on 8/21/13. (cjm,) (Entered: 08/21/2013)
08/22/2013	<u>40</u>	NOTICE by Louise A. Meanwell <i>to change attorney</i> (Attachments: # <u>1</u> consent to change attorney)(Schockmel, Keith) (Entered: 08/22/2013)
08/22/2013	<u>41</u>	Letter Motion from Keith Schockmel for Louise A. Meanwell requesting Defendant contact information submitted to Judge Hummel . (Schockmel, Keith) (Entered: 08/22/2013)
08/29/2013	<u>42</u>	TEXT ORDER granting <u>41</u> Letter Request to provide contact information for pro se defendants as it appears on the public docket. Authorized by Magistrate Judge Christian F. Hummel on 8/29/13. (cjm,) (Entered: 08/29/2013)
09/03/2013	<u>43</u>	CIVIL CASE MANAGEMENT PLAN <i>Submitted by all parties</i> by Benedict Conboy, James Leonard. (Galligan, Colleen) (Entered: 09/03/2013)
09/04/2013		TEXT NOTICE to Attorney Galligan, re: <u>43</u> CIVIL CASE MANAGEMENT PLAN. Please electronically file proof of service of the above documents upon the pro se defendants. (see) (Entered: 09/04/2013)
09/04/2013	<u>44</u>	CERTIFICATE OF SERVICE by Benedict Conboy, James Leonard re <u>43</u> CIVIL CASE MANAGEMENT PLAN (Galligan, Colleen) (Entered: 09/04/2013)
09/10/2013	<u>45</u>	Text Minute Entry (FTR recorded 11:00 am - 11:30 am) for proceedings held before Magistrate Judge Christian F. Hummel: Initial Rule 16 Pretrial Conference held on on the record on 9/10/2013. Appearances: Keith Shockmel, Esq., Jacqueline Hankle, Pro Se, Mary Bump, Pro Se, Christopher Martin, Esq.,Colleen Galligan, AAG. Mr. Bump did not appear. A copy of minutes will be served traditionally upon him as well as all pro se parties. Ms. Bump will represent herself. Ms. Henkle may be entitled to counsel appointed by NY State. Case is opted-out of ADR program. Deadlines set for the progression of the case. A mid-Discovery status conference is set for 2/4/14 at 11:00 am in-person before Judge Hummel. Mr. Bump is directed to appear for that conference as well as all other parties. (CRD: Cindy Mezoff/CR: Theresa Casal)(cjm,) (Entered: 09/11/2013)
09/11/2013	<u>46</u>	UNIFORM PRETRIAL SCHEDULING ORDER: Anticipated length of trial: 5 days. Preferred Trial Location: Albany, NY. Parties opt-out of ADR program. Joinder of Parties due by 10/31/2013. Amended Pleadings due by 10/31/2013. Discovery due by 4/18/2014. Motions to be filed by 9/26/2014.Signed by Magistrate Judge Christian F. Hummel on 9/11/13. (cjm,) (Entered: 09/11/2013)

01/14/2014		TEXT NOTICE regarding IN PERSON, mid-discovery status conference set via Dkt. No. 45 . The IN PERSON, mid-discovery status conference scheduled for 2/4/14 has been ADJOURNED AND RESCHEDULED to 2/13/14 at 9:00 a.m. All parties are still directed to appear IN PERSON for this conference. (aaf,) (Entered: 01/14/2014)
01/14/2014		Clerk mailed copies of the 1/14/2014 Text Notice to pro se defts Jason Bump, Mary Bump, and Jacqueline Hankle on 1/14/2014 by regular mail. (see) (Entered: 01/14/2014)
02/13/2014		Text Minute Entry (FTR recorded 9:00 am - 9:30 am) for proceedings held before Magistrate Judge Christian F. Hummel: Mid-Discovery Status Conference held on the record on 9/13/2014. Appearances: Keith Shockmel, Esq., Jacqueline Hankle, Pro Se, Mary Bump, Pro Se, Jason Bump, Pro Se, Theresa B. Marangas, Esq., Adrienne Kerwin, AAG. Ms. Hankle will represent herself. Plaintiff may voluntarily dismiss defendant Ruth Supovitz from this action. (CR: Lisa Tennyson)(ccw) (Entered: 02/13/2014)
03/27/2014	<u>47</u>	Letter Motion from Keith Schockmel for Louise A. Meanwell requesting extension of discovery deadline by all represented parties submitted to Judge Hummel . (Schockmel, Keith) (Entered: 03/27/2014)
04/01/2014	<u>48</u>	TEXT ORDER Setting Discovery Hearing for 4/10/2014 at 2:00 PM in person in Albany before Magistrate Judge Christian F. Hummel. Authorized by Magistrate Judge Christian F. Hummel on 4/1/14. (cjm,) {non-ecf parties served by regular mail} (Entered: 04/01/2014)
04/10/2014		Text Minute Entry (FTR recorded 2:00 pm - 2:30 pm) for proceedings held before Magistrate Judge Christian F. Hummel: Discovery Hearing held on the record on 4/10/2014. Appearances: Keith Schockmel, Esq., Jacqueline Hankle, Pro Se, Jason Bump, Pro Se, Mary Bump, Pro Se, Theresa Marangas, Esq., Colleen Galligan, AAG. This matter comes before the Court based upon letter Request (Dkt #47) filed by Keith Schockmel for Louise Meanwell requesting an extension of the discovery deadline. The Court GRANTS that Motion barring any questions being directed to plaintiff at her deposition surrounding criminal case in NYC. The deadline for completion of Discovery is extended until 5/16/14. All other deadlines set forth in the Uniform Pretrial Scheduling Order remain in full force and effect. (Court Reporter Theresa Casal) (cjm,){served on non-cmecf parties by regular mail} (Entered: 04/11/2014)
04/11/2014	<u>49</u>	TEXT ORDER granting [Dkt # 47] Letter Requesting Discovery be extended until 5/16/2014. Authorized by Magistrate Judge Christian F. Hummel on 4/11/14. (cjm,) (Entered: 04/11/2014)
04/11/2014	<u>50</u>	TEXT ORDER: GRANTING [Dkt #47] Letter Motion from Keith Schockmel for Louise A. Meanwell requesting extension of discovery deadline . It is further ORDERED that during the course of plaintiff's deposition, no one shall ask any questions related to the charges currently pending against plaintiff in New York City. The Uniform Pretrial Scheduling Order (Dkt # 46) is hereby amended to extend the deadline for

		completion of discovery until May 16, 2014. All other deadlines in the Uniform Pretrial Scheduling Order remain in full force and effect. Signed by Magistrate Judge Christian F. Hummel on 4/11/14. (cjm,) {served by regular mail on all non-cmecf parties} (Entered: 04/11/2014)
04/18/2014	<u>51</u>	Letter Motion from AAG Colleen Galligan for Benedict Conboy, James Leonard requesting Authorization to Produce Hankle Personnel File submitted to Judge Hummel . (Attachments: # <u>1</u> Declaration of Service) (Galligan, Colleen) (Entered: 04/18/2014)
04/21/2014	<u>52</u>	STATUS REPORT <i>Re Letter Request Re Hankle Employment Records</i> (Dkt # 51) by Benedict Conboy, James Leonard. (Attachments: # <u>1</u> Exhibit(s) Email from Hankle, # <u>2</u> Declaration of Service)(Galligan, Colleen) (Entered: 04/21/2014)
04/23/2014	<u>53</u>	TEXT ORDER granting [Dkt #51] Letter Request of Defendants Leonard and Conboy seeking to provide the other parties to this action with a copy of the unredacted file of Defendant Hankle from the New York State DCJA. Authorized by Magistrate Judge Christian F. Hummel on 4/23/14. (cjm,) {copy served by regular mail on all non cmecf parties} (Entered: 04/23/2014)
05/06/2014	<u>54</u>	Letter Motion from Keith Schockmel for Louise A. Meanwell requesting withdrawal as counsel submitted to Judge Hummel . (Schockmel, Keith) (Entered: 05/06/2014)
05/19/2014	<u>55</u>	TEXT ORDER denying [Dkt #54] Letter Request of Keith Schockmel, Esq. seeking to withdraw as counsel for plaintiff is DENIED. A Pre-Motion Filing Conference is set for 5/27/2014 10:00 AM in Albany before Magistrate Judge Christian F. Hummel to set up a briefing schedule to address attorney Schockmel's request to withdraw as counsel. Plaintiff and Mr. Shockmel must be present at that conference. Defendant's may participate in person or by phone. Signed by Magistrate Judge Christian F. Hummel on 5/19/14. (cjm,) (Entered: 05/19/2014)
05/20/2014	<u>56</u>	Letter Motion from Keith Schockmel for Louise A. Meanwell requesting the Court be advised I have been discharged as counsel submitted to Judge Hummel . (Schockmel, Keith) (Entered: 05/20/2014)
05/23/2014	<u>57</u>	TEXT ORDER granting [Dkt #56] Letter Request to the extent that the conference will be adjourned from the present date of 5/27/14. A Pre-Motion Filing Conference to address the Request to Withdraw as counsel is set for 6/5/2014 at 9:00 AM in Albany before Magistrate Judge Christian F. Hummel. Plaintiff must be present for the conference. Authorized by Magistrate Judge Christian F. Hummel on 5/23/14. (cjm,) {copy served by regular mail on other non-cmecf parties whose participation is not required but may appear} (Entered: 05/23/2014)
06/02/2014	<u>58</u>	Letter Motion from Louise Meanwell for Louise A. Meanwell requesting telephonic appearance submitted to Judge Hummel . (Schockmel, Keith) (Entered: 06/02/2014)
06/02/2014	<u>59</u>	Letter Motion from Louise Meanwell for Louise A. Meanwell requesting

		telephonic appearance with corrected date submitted to Judge Hummel . (Schockmel, Keith) (Entered: 06/02/2014)
06/03/2014	<u>60</u>	TEXT ORDER denying [Dkt #58] Letter Request of Keith Schockmel on behalf of Louise Meanwell to appear telephonically. Authorized by Magistrate Judge Christian F. Hummel on 6/3/14. (cjm,) (Entered: 06/03/2014)
06/03/2014	<u>61</u>	TEXT ORDER denying [Dkt #59] Letter Request by Keith Schockmel requesting Louis Meanwell appear telephonically for conference on June 5, 2014 at 9 am. Authorized by Magistrate Judge Christian F. Hummel on 6/3/14. (cjm,) (Entered: 06/03/2014)
06/03/2014	<u>62</u>	Letter Motion from Keith Schockmel for Louise A. Meanwell requesting the Court be advised of my correspondence from plaintiff submitted to Judge Hummel . (Schockmel, Keith) (Entered: 06/03/2014)
06/03/2014	<u>63</u>	Letter Motion from Jason Bump requesting Conference set for June 5, 2014 not be adjourned submitted to Judge Hummel. (cjm,) (Entered: 06/03/2014)
06/03/2014	<u>64</u>	TEXT ORDER denying [Dkt #62] Letter Request filed June 3, 2014 to adjourn conference on June 5, 2014. A previous conference was set by the Court for May 27, 2014 and adjourned at counsel for plaintiff's request. This conference has been set since May 23, 2014 allowing plaintiff sufficient time to make arrangements to appear in-person on June 5, 2014 at 9:00 am. Authorized by Magistrate Judge Christian F. Hummel on 6/3/14. (cjm,) (Entered: 06/03/2014)
06/03/2014	<u>65</u>	Letter Motion from Louise Meanwell for Louise A. Meanwell requesting the Court be advised of correspondence from plaintiff submitted to Judge Hummel . (Schockmel, Keith) (Entered: 06/03/2014)
06/04/2014	<u>66</u>	TEXT ORDER denying [Docket #65]. Plaintiff's Letter Motion dated June 3, 2014 seeking to excuse Plaintiff from appearing in-person for the conference scheduled for June 5, 2014 is DENIED. Plaintiff is advised that pursuant to Local Rule 41.2 of the N.D.N.Y. that the failure to diligently prosecute an action may result in the dismissal of the case. Authorized by Magistrate Judge Christian F. Hummel on 6/4/14. (cjm,) (Entered: 06/04/2014)
06/04/2014	<u>67</u>	TEXT ORDER granting [Dkt #63] Letter Request. Authorized by Magistrate Judge Christian F. Hummel on 6/4/14. (cjm,) (Entered: 06/04/2014)
06/04/2014	<u>68</u>	Letter Motion from Louise Meanwell for Louise A. Meanwell requesting apprising the Court of correspondence from plaintiff submitted to Judge Hummel . (Schockmel, Keith) (Entered: 06/04/2014)
06/05/2014		Text Minute Entry (FTR recorded 9:00 am - 9:30 am) for proceedings held before Magistrate Judge Christian F. Hummel: Pre-Motion Conference held on the record 6/6/2014 Colleen Galligan, Theresa Marangas, Esq. Mary Bump, Jason Bump, Jaqueline Hankle, Pro Se. This

		<p>matter comes before the Court based upon various Letter requests with regard to Mr. Schockmel withdrawing as counsel. An in-person conference was set for 5/27/14. Plaintiff's counsel requested an adjournment, and that matter was rescheduled to today, June 5, 2014. The Court GRANTS Attorney Schockmel's unopposed application to be relieved as counsel. Ms. Galligan indicates she will be making a motion to dismiss once the issue of counsel is decided. The Court will grant Ms. Meanwell 30 days to obtain new counsel. Ms. Meanwell will then become a Pro Se litigant. A further conference is set for July 8, 2014 at 11:00 am to set a motion schedule for defendant's motion to dismiss. (Court Reporter Theresa Casal) (cjm,){copy served on plaintiff and all non-cmecf parties by regular mail} (Entered: 06/06/2014)</p>
06/05/2014		<p>Set Deadlines/Hearings: Pre-Motion Filing Conference set for 7/8/2014 11:00 AM in Albany before Magistrate Judge Christian F. Hummel. (cjm,) (Entered: 06/06/2014)</p>
06/06/2014	<u>69</u>	<p>ORDER that the letter motions of Attorney Schockmel seeking to be relieved as counsel for pltf is GRANTED; All discovery and the filing of motions in this matter is stayed for 30 days from the date of this order to permit pltf to obtain new counsel in this matter. Pltf is advised that if she fails to obtain new counsel in this matter within 30 days of this order, she will be proceeding pro se; a conference will be conducted on July 8, 2014 at 11:00 AM at the U.S. District Courthouse in Albany, NY. Pltf MUST appear in person at that conference. If pltf has retained new counsel, that attorney must appear as well. Pltf is again advised that pursuant to Local Rule 41.2 of the NDNY the failure to diligently prosecute this matter may result in the dismissal of this action; and that pltfs letter motion dated June 4, 2014 (Dkt. No. 68) requesting, among other things, that she be allowed to attend the June 5, 2014 conference by telephone is DENIED. Signed by Magistrate Judge Christian F. Hummel on 6/6/2014. (see) (Entered: 06/06/2014)</p>
06/06/2014		<p>Clerk e-mailed a copy of the <u>69</u> Order to Louise Meanwell on 6/6/2014. E-mail address was provided by pltf's former attorney, Keith Schockmel. (see) (Entered: 06/06/2014)</p>
07/08/2014		<p>Text Minute Entry for proceedings held before Magistrate Judge Christian F. Hummel: Pre-Motion Conference held on 7/8/2014. Appearances: Theresa Marangas, Esq., Mary Bump, Jacqueline Hankle, Jason Bump, Colleen Galligan, Esq. Plaintiff was not present. Plaintiff had until 7/7/14 to retain new counsel. Motion schedule is set as follows: Defendant's to file Motion to Dismiss by August 11, 2014; Plaintiff to respond by August 28, 2014, Any Reply is to be filed by 9/5/14. Motion is returnable by 9/15/14 on submission. Pro Se litigants will join motion by letter request to adopt arguments of counsel. (Court Reporter: Theresa Casal) (cjm,) (Entered: 07/09/2014)</p>
08/07/2014	<u>70</u>	<p>MOTION to Dismiss for Lack of Prosecution Motion Hearing set for 9/15/2014 09:00 AM in Albany before Chief Judge Gary L. Sharpe Response to Motion due by 8/29/2014 Reply to Response to Motion due by 9/4/2014. filed by Ruth Supovitz. (Attachments: # <u>1</u> Affirmation, # <u>2</u></p>

		Memorandum of Law, # <u>3</u> Exhibit(s)) (Marangas, Theresa) (Entered: 08/07/2014)
08/07/2014		TEXT NOTICE to Attorney Marangas, re: <u>70</u> MOTION to Dismiss for Lack of Prosecution. Please electronically file proof of service of the above document. (see) (Entered: 08/07/2014)
08/07/2014	<u>71</u>	CERTIFICATE OF SERVICE by Ruth Supovitz re <u>70</u> MOTION to Dismiss for Lack of Prosecution (Marangas, Theresa) (Entered: 08/07/2014)
08/07/2014		Reset Deadlines as to <u>70</u> MOTION to Dismiss for Lack of Prosecution. Motion Hearing reset for 9/15/2014 on submit, with no appearances required, before Chief Judge Gary L. Sharpe. Response to Motion due by 8/28/2014. Reply to Response to Motion due by 9/5/2014. The deadlines are reset pursuant to the 7/8/2014 Text Minute Entry. (see) (Entered: 08/07/2014)
08/08/2014	72 <u>72</u>	MOTION to Dismiss for Lack of Prosecution Motion Hearing set for 9/15/2014 09:30 AM in Albany before Chief Judge Gary L. Sharpe Response to Motion due by 8/29/2014 Reply to Response to Motion due by 9/4/2014. filed by Benedict Conboy, James Leonard. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Affirmation of Colleen D. Galligan, # <u>3</u> Declaration of Service) (Galligan, Colleen) (Additional attachment(s) added on 8/11/2014: # <u>4</u> This is a full version of 72-2 and 72-3. The versions uploaded previously were corrupted) (see,). (Entered: 08/08/2014)
08/11/2014	<u>73</u>	CERTIFICATE OF SERVICE by Ruth Supovitz re <u>70</u> MOTION to Dismiss for Lack of Prosecution (Marangas, Theresa) (Entered: 08/11/2014)
08/11/2014		CLERK'S CORRECTION OF DOCKET ENTRY re <u>72</u> Motion to Dismiss/Lack of Prosecution. When attempting to open attachment nos. 72-2 and 72-3, both attachments noted an error stating that the document was "Out of Memory". The Court was able to retrieve the two documents, which is an Affirmation in support of the motion and Declaration of Service. The recovered Affirmation and Declaration is now attached to the entry as document 72-4. (see) (Entered: 08/11/2014)
08/11/2014		Reset Deadlines as to <u>72</u> MOTION to Dismiss for Lack of Prosecution . Response to Motion due by 8/28/2014. Reply to Response to Motion due by 9/5/2014. The return date remains 9/15/2014 on submit. *The deadlines are reset in compliance with the 7/8/2014 Text Minute Entry. (see) (Entered: 08/11/2014)
08/11/2014	74 <u>74</u>	Letter Motion from Mary Bump, requesting to join in the Motion to Dismiss submitted by Attorneys Colleen Galligan and Theresa Marangas. (see) (Entered: 08/12/2014)
08/11/2014	75 <u>75</u>	Letter Motion from Jacqueline Hankle, requesting to join in the Motion to Dismiss submitted by Attorneys Colleen Galligan and Theresa Marangas. (see) (Entered: 08/12/2014)

08/11/2014	 <u>76</u>	Letter Motion from Jason Bump requesting to join in the Motion to Dismiss submitted by Attorneys Colleen Galligan and Theresa Marangas. (see) (Entered: 08/12/2014)
08/21/2014	<u>77</u>	<p>Text Only Order - On June 5, 2014, Judge Hummel conducted a Pre-Motion Conference on the record. During the conference, the court granted Attorney Schockmel's unopposed application to be relieved as counsel. See Text Minute Entry June 5, 2014. On June 6, 2014, Judge Hummel issued an order which granted Attorney Schockmel's motion to be relieved as counsel. Judge Hummel directed that the plaintiff either retain new counsel in this matter within thirty (30) days of the order, or she will be proceeding pro se. Furthermore, the order scheduled another Pre-Motion Conference for July 8, 2014 at 11:00 a.m. and directed the plaintiff to appear in person. See Dkt. No. 69. The clerk tried to obtain the plaintiff's address from former counsel, but only received an email address. The clerk provided a copy of the Order to the plaintiff by email. On July 8, 2014, Judge Hummel conducted a Pre-Motion Conference. Plaintiff failed to appear for the conference. The court scheduled motion filing deadlines for the case. On July 9, 2014, the court served a copy of the minutes on all pro se parties by regular mail and upon the plaintiff by email. On August 7, 2014, defendant Supovitz filed a motion to dismiss for lack of prosecution. (Dkt. No. 70). On August 8, 2014, defendants Conboy and Leonard filed a motion to dismiss for lack of prosecution. (Dkt. No. 72). On August 11, 2014, pro se defendants Mary Bump, Jacqueline Hankle and Jason Bump filed letter motions requesting to join the pending motions to dismiss (Dkt. Nos. 74-76). The court has reviewed the docket and was able to obtain what appears to be plaintiff's address from the amended complaint. (Dkt. No. 14 7) and from certificates of service filed by the defendants (Dkt. Nos. 72 Attach 3 and 73). The court directs the clerk to update the plaintiff's address on the docket, accordingly. The court will afford the plaintiff FOURTEEN (14) DAYS from this order to submit her current address to the court, or to verify her address as listed in the amended complaint. All parties are directed that all documents filed with the court must include a certificate of service showing that the document was served on all parties in accordance with the local rules. The letter motions requesting to join in on the pending motions (Dkt. Nos. 74-76) are granted. Response papers to the pending motions to dismiss are to be filed on or before September 16, 2014. Reply papers are to be filed on or before September 30, 2014. The motion hearing is scheduled for October 16, 2014 at 9:00 a.m. on SUBMIT only. No personal appearances are needed. The court is directed to serve this text only order on all pro se parties, including by certified mail to the plaintiff, and to provide an updated copy of the docket sheet to the pro se plaintiff. IT IS SO ORDERED. Signed by Chief Judge Gary L. Sharpe on 8/21/2014. (jel,) (Entered: 08/21/2014)</p>
08/21/2014	<u>78</u>	NOTICE that the plaintiff's response papers to the <u>70</u> MOTION to Dismiss for Lack of Prosecution <u>72</u> MOTION to Dismiss for Lack of Prosecution <u>74</u> Letter Motion for Mary Bump requesting to join in the Motion to Dismiss submitted by Attorneys Colleen Galligan and Theresa Marangas submitted to Judge Sharpe, <u>75</u> Letter Motion for Jacqueline

	Hankle requesting to join in the Motion to Dismiss submitted by Attorneys Colleen Galligan and Theresa Marangas, <u>76</u> Letter Motion for Jason Bump requesting to join in the Motion to Dismiss submitted by Attorneys Colleen Galligan and Theresa Marangas are to be filed on or before September 16, 2014. (jel,) (Entered: 08/21/2014)
08/21/2014	Mailed copy of the 77 Text Only Order, <u>78</u> Notice and a copy of the docket sheet to the pro se plaintiff by certified mail. Mailed copy of the 77 Text Only Order and <u>78</u> Notice to the pro se defendants by regular mail. (jel,) (Entered: 08/21/2014)

Other Orders

1:13-cv-00624-GLS-CFH

Meanwell v. Hankle et al

PRO SE

Docket Text: Final Text

Text Only Order - On June 5, 2014, Judge Hummel conducted a Pre-Motion Conference on the record. During the conference, the court granted Attorney Schockmel's unopposed application to be relieved as counsel. See Text Minute Entry June 5, 2014. On June 6, 2014, Judge Hummel issued an order which granted Attorney Schockmel's motion to be relieved as counsel. Judge Hummel directed that the plaintiff either retain new counsel in this matter within thirty (30) days of the order, or she will be proceeding pro se. Furthermore, the order scheduled another Pre-Motion Conference for July 8, 2014 at 11:00 a.m. and directed the plaintiff to appear in person. See Dkt. No. 69. The clerk tried to obtain the plaintiff's address from former counsel, but only received an email address. The clerk provided a copy of the Order to the plaintiff by email. On July 8, 2014, Judge Hummel conducted a Pre-Motion Conference. Plaintiff failed to appear for the conference. The court scheduled motion filing deadlines for the case. On July 9, 2014, the court served a copy of the minutes on all pro se parties by regular mail and upon the plaintiff by email. On August 7, 2014, defendant Supovitz filed a motion to dismiss for lack of prosecution. (Dkt. No. 70). On August 8, 2014, defendants Conboy and Leonard filed a motion to dismiss for lack of prosecution. (Dkt. No. 72). On August 11, 2014, pro se defendants Mary Bump, Jacqueline Hankle and Jason Bump filed letter motions requesting to join the pending motions to dismiss (Dkt. Nos. 74-76). The court has reviewed the docket and was able to obtain what appears to be plaintiff's address from the amended complaint. (Dkt. No. 14-7) and from certificates of service filed by the defendants (Dkt. Nos. 72 Attach 3 and 73). The court directs the clerk to update the plaintiff's address on the docket, accordingly. The court will afford the plaintiff **FOURTEEN (14) DAYS** from this order to submit her current address to the court, or to verify her address as listed in the amended complaint. All parties are directed that all documents filed with the court must include a certificate of service showing that the document was served on all parties in accordance with the local rules. The letter motions requesting to join in on the pending motions (Dkt. Nos. 74-76) are granted. Response papers to the pending motions to dismiss are to be filed on or before September 16, 2014. Reply papers are to be filed on or before September 30, 2014. The motion hearing is scheduled for October 16, 2014 at 9:00 a.m. on **SUBMIT** only. No personal appearances are needed. The court is directed to serve this text only order on all pro se parties, including by certified

mail to the plaintiff, and to provided an updated copy of the docket sheet to the pro se plaintiff. IT IS SO ORDERED. Signed by Chief Judge Gary L. Sharpe on 8/21/2014. (jel,)

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.